

### **Remarks**

In view of the following remarks, Applicant respectfully requests reconsideration and allowance of the subject application. Claims 1-56 are original and pending.

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### **Rejections under 35 U.S.C. § 102**

Claims 1-56 stand rejected under 35 U.S.C. § 102(a) as being anticipated by @MAX Software (@Max Tray Player version 0.97b), (the “@MAX reference”).

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### **Declaration under 37 C.F.R. § 1.131**

Applicant submits herewith a Declaration under 37 C.F.R. § 1.131 and supporting documentation to evidence that the invention was conceived and reduced to practice in the United States prior to June 21<sup>st</sup>, 2003, the publication date of the @MAX reference. Accordingly, the @MAX reference should be removed as a reference because it is not prior art.

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### **Explanation for Missing Inventor Signatures**

The Declaration is signed by only some of the inventors: Myron Thomas and Madhuvan Gupta. The signatures of the signing inventors are sufficient (MPEP § 715.04).

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### **Conclusion**

Applicant respectfully submits that the basis for the 102(a) rejection has been obviated. As the claims were not rejected on any other basis, all of the claims are in condition for allowance. Accordingly, Applicant requests that the Office issue a Notice of Allowability. If the Office’s next anticipated action is to

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be anything other than issuance of a Notice of Allowability, Applicant respectfully requests a telephone call for the purpose of scheduling an interview.

Respectfully Submitted,

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By: /Michael K. Colby/  
Michael K. Colby  
Reg. No. 45816  
Attorney for Applicant

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Sadler, Breen, Morasch & Colby, PS  
422 W. Riverside Avenue, Suite 424  
Spokane, Washington 99201  
Telephone: (509) 755-7254  
Facsimile: (509) 755-7252

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